



22.9.2009

QUESTION TO THE COMMISSION

(001/2009)

Meeting of 30 September 2009 and 1 October 2009

1. Question tabled by Barbara Lochbihler

Situation of the Child labour

Child labour is one of the most severe human rights violations committed in many regions of the globe. While the issue of child labour has been broadly discussed in international fora still this shameful situation prevails. The European Commission accepted in 2008 to work on a study on the combat of child labour - a most welcomed initiative. The study should deal with the questions of the precise scope of child labour, of EU's response and the activities of other relevant stakeholders.

I learnt that the study should have been finished in form of a communication (not an informal staff paper) before summer 2009. Could you please comment on the delay, on the proceeding of the report and give an exact date of publication?

2. Question déposée par Cristian Dan Preda

Sur la situation en Birmanie

Quelle est la position de la Commission européenne au sujet des élections législatives prévues en principe pour 2010 en Birmanie? Etant donné que de nombreux membres de l'opposition sont actuellement en prison ou assignés à domicile et que la nouvelle Constitution birmane restreint excessivement le droit de se porter candidat, peut-on considérer que ces élections pourront être libres et correctes ?

3. Question tabled by Frieda Brepoels

Situation of the Palestinian children

The high number of Palestinian children in Israeli prisons is still a serious problem. According to the most recent figures of 2009, 339 children are now being held in custody, with a spectacular figure of 423 in February. The average number of Palestinian children held in Israeli detention in 2009 therefore remains high, at 375 per month, compared with 319, in 2008. This represents an increase of 17.5%.

Arbitrary arrests, house-to-house searches, administrative detention, torture and abuse during interrogations in detention centres are common practices. Israel is violating the fundamental principle that a state based on the rule of law should always provide for a fair and public trial by an impartial and independent arbiter.

The conditions, under which Palestinian children are detained, aggravate the situation. From the moment of arrest, Palestinian children encounter ill-treatment and in some cases torture, at the hands of Israeli soldiers, policemen and interrogators. Once sentenced, the majority of Palestinian children are detained inside Israel. There is also a ban on visits from family members, with the result that prisoners have not been able to see brothers, sisters, mothers and fathers for years. The rights of caught Palestinian children are therefore systematically ignored in violation of the Fourth Geneva Convention, the UN Convention against Torture and the UN Convention on the Rights of the Child.

Article 2 of the EU-Israel Association Agreement reminds both the European Union and Israel that respect for human rights and democratic principles are the basis of their mutual bilateral relations. In light of the problem sketched above, at what time does the European Commission expect the Israeli authorities to formally remind them of that respect?

Which initiatives provided for under international law does the European Commission intend to take in order to pressure the Israeli authorities for them to obey the international rules and the Conventions which are now being violated?

The European Union has added Israel and the Occupied Palestinian Territory to the list of the priority countries for the implementation of the EU Guidelines on Children and Armed conflict. In line with these guidelines, the European Union has pledged to integrate all aspects of the rights and well-being of children into the political dialogue with Israel. In what way has the European Commission indeed brought this problem to the fore in the discussions on the political dialogue between the European Union and Israel? What have been the concrete results?

Has the European Commission in recent times recommended Israel to reform the military legal system applied to Palestinian children, in order to bring it in conformity with international standards of juvenile justice and the treatment of civilians in conflict? If not, does the Commission plan to do this?

Has the European Commission in recent times recommended Israel to end the practice of detaining persons under the age of 18 in administrative detention, to have all interrogations of children audio-visually recorded and conducted in the presence of a lawyer and parent of the child, and to raise the age of majority for Palestinian children to 18 at which they can be detained, in accordance with Israeli domestic law and with the UN Convention on the Rights

of the Child?

Just before the summer of 2008, the European Union stated at the Association Council with Israel, held at that time, its desire to set up a formal subcommittee on human rights. Has this already happened? If not, why? If yes, what is the composition of the subcommittee, how many times did it meet, what were the results?

4. Question tabled by David Martin

Situation in Colombia

What action has the Commission taken in light of the human rights situation in Colombia?

5. Question tabled by Metin Kazak

Situation at Camp Ashraf

After the violent attack of Iraqi forces on 28-30 July aimed at unarmed Iranian opposition exiles (PMOI) at Camp Ashraf, 36 'protected persons' have been taken hostage by the Iraqi police.

The situation at Camp Ashraf is aggravating as neither Iraq nor the US fulfils its commitments arising from Fourth Geneva Convention and Status of Forces Agreement with regards to the security of the residents of the camp. Moreover, for more than 50 days, the 36 detainees are on hunger strike.

Is the EU going to take action on these serious human rights violations against the residents of Camp Ashraf?